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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: BEXTRA AND CELEBREX) Case Specific Number 06-2016
MARKETING SALES PRACTICES AND) MDL NO. 1699
PRODUCT LIABILITY LITIGATION) District Judge: Charles R. Breyer

Timothy Tarpley,)
Plaintiffs,)
vs.)
Pfizer, Inc., et al.)
Defendants.)

STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE

Come now the Plaintiff, (TIMOTHY TARPLEY) Defendants, by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action with prejudice with each side bearing its own attorneys' fees and costs.

DATED: February 20, 2009

By:

Attorneys for Plaintiff, Timothy Tarpley

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2 DATED: April 27, 2009 DLA PIPER US LLP

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4 By:


5 Michelle Sadowsky
6 Attorneys for Defendants

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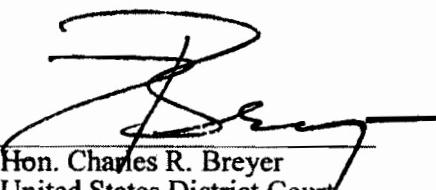
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PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,
IT IS SO ORDERED.

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Dated: APR 30 2009


11 Hon. Charles R. Breyer
United States District Court

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